IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING
(RULE 53(b)(1))

00909

FOR DESIGN OR UTILITY APPLICATIONS
(DO NOT USE FOR CIPs)

Rule 53(b)(1) PATENT APPLICATION:

☒ Continuation)
) application under 37 CFR 1.53(b)(1)
☐ Divisional)
of pending prior application of   Group Art Unit: 1644

Inventor(s):   Bruce R. Blazar et al.   Examiner: P. Gambel

Parent Appln. No.:	09	124,683	Atty. Dkt.	P 0280602	
	Series Code ⇧	Serial No. ⇧		New M#	Client Ref

Parent Filed: July 30, 1998
This Appln. Filed: April 16, 2001

Title: Ex Vivo Treatment of Allogeneic and Xenogeneic Donor T Cells Containing Compositions (Bone Marrow) Using Gp39 Antagonists and Use Thereof

Hon. Commissioner of Patents   Date: April 16, 2001
Washington, DC 20231   (Parent Matter No.   0275803   )

Sir:

      To effect the above-requested filing today:

1.   **Attached** is a copy **(which must be filed)** of the prior application, including:

    ☒ Abstract
    ☒ Specification and claims (21 pages) **(must be attached)**
    ☒ Drawings **(must be attached if originally filed):** 9 sheet(s)/set: ☒ 1 set informal;
                            ☐ Formal of size   ☐ A4   ☐ 11"

1A.   Always X one box, only:
(1)   ☒ Copy of Signed declaration or oath as originally filed in prior application attached
(2)   ☐ NO declaration or fee is enclosed; therefore, this is a filing under Rule 53(f).

2.   ☐   This application is hereby filed by less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are **not** inventor(s) of the invention being claimed in this application (DELETE THE FOLLOWING INVENTOR(S)):

    1. _____   2. _____
    3. _____   4. _____
    5. _____   6. _____
    7. _____   8. _____

2.5   THE INVENTOR(S) FOR THIS NEW APPLICATION IS(ARE):

    1. _____   2. _____
    3. _____   4. _____
    5. _____   6. _____
    7. _____   8. _____

3.   The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

4. ☐ Priority is claimed under 35 U.S.C. 119/365 based on filing in _____ of
_____ (country)

Application No.	Filing Date		Application No.	Filing Date
(1) _____	_____	(2)	_____	_____
(3) _____	_____	(4)	_____	_____
(5) _____	_____	(6)	_____	_____

    a. ☐ _____ (No.) Certified copy/copies attached.
    b. ☐ Certified copy/copies previously filed on _____ in
        U.S. Application No. _____ / _____ , filed on _____.
              series code ⇧   ⇧ serial no.
    c. ☐ Certified copy/copies filed during International stage of PCT/ _____ / .

4(a). (a) ☐ Domestic priority is claimed from ___/___ , filed .
             PCT/

    (b) ☐ Benefit is claimed of Provisional Application No. 60/___ , filed ___ .

5. ☒ Prior application is assigned to _Regents of the University of Minnesota_

by assignment recorded _October 20, 1998_ Reel _9527_ Frame _0968_.
                (Date)

6. ☐ Attached is the following number of Assignments (including original and all later successive ones by **different** assignors): _____ and respective **new** Cover Sheets. (Do **NOT** file old cover sheets.)

    (Assignments in parent **must be refiled** with new Cover Sheets in this continuing application if you want it/them recorded against the continuing application.)

Please return the recorded Assignment to the undersigned.

7. ☒ The power of attorney in the prior application is to _Robin L. Teskin, Registration No. 35,030_

(Name and Reg. No.)
whose current address is as in item 8 below.

    a. ☐ Recognize as associate attorney_____

(Name, Reg. No. and Address)

8. **Address all future communications to Intellectual Property Group
of Pillsbury Winthrop LLP, Ninth Floor, East Tower 1100 New York Avenue, N.W.,
Washington, D.C. 20005-3918**

9. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

    No. _09/ 124,683_ filed _July 30, 1998_
    No. ___/_____ filed _____
    No. ___/_____ filed _____

9(a). ☐ See the attached Preliminary Amendment, which amends the first page of the specification to claim benefit of the above listed US application(s)

10. **Small Entity Status →** ☒ is Not claimed   ☐ is claimed (**pre-filing confirmation required**)
    :
    ___(No.) Small Entity Statement(s) (not essential since 9/8/00) were/are:
    ☐ filed in above prior application
    ☐ attached.

11. Petition to extend the life of the above prior application to at least the date hereof
(one box) ☐ is being concurrently filed in that prior application (Use Form PAT-111).
(must be) ☒ was previously filed in that prior application (Check length of prior extension).
(X'd) ☐ is not necessary for copendency (**Double check** before X'ing this box).

12. ☐ **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are <u>not required</u> now. Please consider those documents and <u>advise</u> that they have been considered in <u>this new</u> application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. .

13. ☐ Attached is a Rule 103(a) Petition to Suspend Action.

14. ☐ **PRELIMINARY AMENDMENT to be entered before fee calculation:** (Do <u>not</u> make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do <u>not</u> cancel all claims).

<div align="center">

FILING FEE
THE FOLLOWING FILING FEE IS BASED ON
->->->-><u>CLAIMS AS FILED AND **CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14**</u><-<-<-<-

</div>

NOTE: If box 1A2 is X'd, do not pay fees,
but leave lines 15-22 and 27-32 <u>blank.</u>

PTO: PLEASE NOTE CLAIM CANCELLATIONS IF BOX 14 ABOVE IS X'D.

				Large/Small Entity		Fee Code
15. Basic Filing Fee . . . . .Design Application				$320/$160		106/26
16. Basic Filing Fee . . . . .Utility Application				$710/$355	+710	101/201
17. Total Effective Claims	12	minus 20 =	0	x $18/$9	+0	103/203
18. Independent Claims	1	minus 3 =	0	x $80/$40	+0	102/202
19. If any <u>proper</u> multiple dependent claim (ignore improper) is present,				$270/$135	+0	104/204
20.				Subtotal =	$710	
21. If "petition" box 13 above is X'd, add petition fee. $130					+0	122
21A. If box 6 above is X'd, add Assignment recording fee . . . .$ 40					+0	581
22.		TOTAL FILING FEE ATTACHED =		$710		

(carry forward to Item 31)

23. ☐ ATTACHED:

24 ☐ Preliminary Amendment <u>attached</u> (to be entered <u>after</u> assigning Appln. No.)

25. ☐ See <u>NONPUBLICATION</u> REQUEST under Rule 213(a) attached (Pat-258)

26.

ADDITIONAL FEE CALCULATION FOR
PRELIMINARY AMENDMENT
PER BOXES 24/25

	Claims remaining after amendment	Highest number previously paid for			Present Extra			Additional Fee	

						Large/Small Entity			File Code
27.	Total Effective Claims	*	minus ** 0	=	0	x $18/$9	=	$ 0	(103/203)
28.	Independent Claims	*	minus *** 0	=	0	x $80/$40	=	+ 0	(102/202)

29. If amendment enters proper multiple dependent claim(s) into this application for the first time, add (per application) . . . .$270/$135   + 0   (104/204)

30.   ADDITIONAL FEE $ 0

31.   plus **FEE** from item 22 on page 3   + 710

32.   **TOTAL FEE CHARGED TO** $ 710
                                 DEPOSIT ACCOUNT

33. *If the entry in this space is less than a entry in the next space, the "Present Extra" result is "0"

34. **If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space

35. If the "Highest number previously paid for" (see item 18 above) is less than 3, write "3" in this space

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CHARGE Deposit Account No. 03-3975
Our Order No.   037003 | 0280602
                      C# | M#

CHARGE STATEMENT: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.
This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Robin L. Teskin   Reg. No.   35,030

Sig: Fax: (202) 822-0944
Atty./Sec RLT/kmh   Tel: (202) 861-3623

NOTE No. 1: File this Request in duplicate with 2 postcard receipts (PAT-103) & attachments
NOTE No. 2: Is extension in parent necessary for copendency? **DOUBLE CHECK** Item 11 above.
If yes, printout Pat-111 and head it in parent.

Document12   PAT-108CN 3/01